

SENATE BILL 95

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SB 23/03 - EHE

2004 Regular Session  
4r0448

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By: **Senator Green**

Introduced and read first time: January 19, 2004

Assigned to: Education, Health, and Environmental Affairs

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A BILL ENTITLED

1 AN ACT concerning

2 **Election Law - Voting - Minors Accompanying Voters**

3 FOR the purpose of altering the maximum age at which a child may accompany a  
4 voter in the voting booth at a polling place; making stylistic changes; and  
5 generally relating to minors accompanying voters in a voting booth.

6 BY repealing and reenacting, with amendments,  
7 Article - Election Law  
8 Section 10-308 and 10-310(c)  
9 Annotated Code of Maryland  
10 (2003 Volume and 2003 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article - Election Law**

14 10-308.

15 An election judge shall allow the following individuals to have access to the  
16 voting room at a polling place:

17 (1) a voter;

18 (2) an individual who accompanies a voter in need of assistance in  
19 accordance with § 10-310(c) of this subtitle;

20 (3) polling place staff;

21 (4) a member or other representative of the State Board or local board;

22 (5) an accredited watcher or challenger under § 10-311 of this subtitle;

23 (6) a child under the age of [11] 14 who accompanies [a] THE voter in  
24 accordance with § 10-310(c) of this subtitle; and

1 (7) any other individual authorized by the State Board or local board.

2 10-310.

3 (c) (1) Before a voter enters a voting booth, at the request of the voter, an  
4 election judge shall:

5 (i) instruct the voter about the operation of the voting system; and

6 (ii) allow the voter an opportunity to operate a model voting device,  
7 if appropriate to the voting system in use.

8 (2) (i) 1. After a voter enters the voting booth, at the request of the  
9 voter, two election judges representing different political parties shall instruct the  
10 voter on the operation of the voting device.

11 2. An election judge may not suggest in any way how the  
12 voter should vote for a particular ticket, candidate, or position on a question.

13 3. After instructing the voter, the election judges shall exit  
14 the voting booth and allow the voter to vote privately.

15 (ii) A voter may take into the polling place any written or printed  
16 material to assist the voter in marking or preparing the ballot.

17 (3) (i) Except as provided in subparagraph (ii) of this paragraph, a  
18 voter who requires assistance in marking or preparing the ballot because of a physical  
19 disability or an inability to read the English language may choose any individual to  
20 assist the voter.

21 (ii) A voter may not choose the voter's employer or agent of that  
22 employer or an officer or agent of the voter's union to assist the voter in marking the  
23 ballot.

24 (4) If the voter requires the assistance of another in voting, but declines  
25 to select an individual to assist, an election judge, in the presence of another election  
26 judge that represents another political party, shall assist the voter in the manner  
27 prescribed by the voter.

28 (5) An individual assisting a voter may not suggest in any way how the  
29 voter should vote for a particular ticket, candidate, or position on a question.

30 (6) If a voter requires assistance under [paragraphs] PARAGRAPH (4) or  
31 (5) of this subsection, the election judge shall record, on a form prescribed by the State  
32 Board, the name of the voter who required assistance and the name of the individual  
33 providing assistance to the voter.

34 (7) Except as provided in [paragraphs] PARAGRAPH (3) or (4) of this  
35 subsection, a person over the age of [10] 13 years may not accompany a voter into a  
36 voting booth.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
2 effect October 1, 2004.